



# MARSDEN

Trade Approved Scales: Why You Should Be Using Them

A Marsden Weighing Group White Paper

[www.marsden-weighing.co.uk](http://www.marsden-weighing.co.uk)



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## What is a Trade Approved scale?

It is a legal requirement that Trade Approved weighing equipment is used when goods are bought or sold based on their weight.

Sometimes also referred to as Class III Approved scales, Legal for Trade scales and stamped scales, Trade Approved scales have been rigorously tested and approved for legal use in the buying and selling of goods. Weights & Measures legislation has required the use of approved scales as part of the buying and selling process for over one hundred years.

The legislation protects the customer and ensures the scale are built, tested and verified to a certain standard - and that two different approved scales weighing the same item should give the same weight. The testing process is stringent to ensure the scale is highly accurate and fit for its intended purpose.

Link: Weights and Measures Act 1985: <https://www.gov.uk/guidance/national-regulation-weights-and-measures>

Link: NAWI Directive: <http://www.marsden-weighing.co.uk/index.php/blog/blog/2015/09/30/what-is-nawi/>





## When should a Trade Approved scale be used?

If you work in an industry where weight affects the price of an item, using Trade Approved scales is required by law.

The Non-automatic Weighing Instruments (NAWI) Directive 2014/31/EU states four applications where industrial Trade Approved scales must be used. These are:

- 1) Determination of mass for commercial transactions
- 2) Determination of mass for the calculation of a toll, tariff, tax, bonus, penalty, remuneration, indemnity or similar type of payment
- 3) Determination of mass for the application of laws or regulations; expert opinion given in court proceedings
- 4) Determination of price on the basis of mass for the purposes of direct sales to the public and the making-up of pre-packages.

Based on the NAWI directive, there are certain environments where Trade Approved scales must be used, such as:

**Business to business sales:** If goods are sold to-and-from businesses based on weight, the scale should be Trade Approved. An example could be scrap metal dealers who buy metals based on weight.

Read more: Why should scrap metal dealers use Trade Approved scales?: <https://www.marsden-weighing.co.uk/index.php/blog/blog/2017/03/10/scrap-metal-dealers-use-trade-approved-scales/>

**Shop scales:** Weighing scales are used in grocery stores to determine the price of fruit and vegetables. Trade Approved retail scales are found anywhere from market stalls to butchers shops for pricing items sold based on weight.

**Bottling processes:** Trade Approved scales are suitable in cases where the volume is shown on the bottle and price is based on the volume.

**Weighing containers for loading onto a ship:** The SOLAS container regulations require a verified proof of weight on an approved scale by a verified weigher, before items can be loaded onto a ship.

Industries where Trade Approved scales are suitable include food, drink, firewood, precious metals and mechanical parts.

Trade Approved scales for buying and selling goods are Class III Approved. However, there are exceptions. In the case of buying and selling of jewellery, the scale needs to be Class II. The greater the Class level, with Class I being the highest, the greater the accuracy of the scale. An accurate weight reading is critical in jewellery weighing and Class II scales are capable of weighing capacities in the sub-milligram range. This allows the user to know the precise weight and therefore the value of the collection.

To find out if you should be using Trade Approved scales for your weighing tasks, call Marsden on 01709 364296.



## Weighing accuracy and the approval process

The approval process is a long and detailed one, but this is necessary to ensure the scale is reliable and accurate. The process takes place for every new weighing scale or loadcell that is required to be Trade Approved.

"Approval testing covers both the accuracy and the repeatability (providing consistently accurate weight readings) of the instruments," the UK Weighing Federation's Technical Officer Ian Turner tells us. "All of these detailed checks ensure that both consumers and traders can be assured that the basis of their transaction is fair and just."

This testing is carried out by accredited laboratories, known as Notified Bodies. These Notified Bodies are based all over the world but will be accredited to the same international standards to ensure that there is a consistency of results.

"Once the design of the scale is approved, and it has been put into production, an approved verifier must then check each one before it can be used for any of the six applications listed by NAWI," says Ian.

Many weighing scale manufacturers, such as Marsden are approved verifiers. Every scale is tested and calibrated prior to leaving the Marsden factory, and this process is so tight that no two identical Trade Approved scales should weigh differently.

If a Trade Approved scale is altered or repaired, in order for it to still be legal for trade, it will need to be reverified.

## How do you know if your scale is Trade Approved?

There are several clues as to whether or not a scale is Trade Approved.

When ordering the scale, the product page and order details should confirm if the scale is Trade Approved. It is also shown on Marsden product sheets.



On the scale's dataplate, Class III Approval is shown by a circle with the roman numerals 'III' in the centre.

The M sticker indicates that the equipment it is attached to has been manufactured in accordance with legal metrology requirements.

Class III Approval is also shown on the EC type-approval certificate, which is provided with the scale. This document also shows the manufacturer's name and scale capabilities.





## Legal implications of not using Trade Approved scales

In the UK, the National Weights and Measures Report 2014/2015 shows that on average almost 7% of weighbridges and scales with a capacity in excess of 5 tonnes were, when tested by Trading Standards, outside their limit of error. Almost 5% of those with a capacity greater than 30kg but lower than 5 tonnes were unsuitable for legal use.

Trading Standards officers may visit any business and check weighing equipment to ensure it is fit for purpose and being used lawfully. In some circumstances officers have the power to issue a notice to rectify issues which can be up to 28 days. However, using unsuitable weighing scales can mean fines and even imprisonment.

According to Business Companion, "It is an offence to use unapproved weighing equipment for legal purposes, to make alterations to equipment after it has been approved for legal use, and to use seriously inaccurate equipments."

"The fines can be level 3 (over £1000) for matters in relation to inappropriate use. But for all other matters it would be an unlimited fine, says Craig Fisher of Sheffield Trading Standards. "If it is fraud in relation to the use of Weights and Measure equipment, it can mean an unlimited fine and up to 6 months imprisonment. Magistrates will take into consideration many factors, such as the level of detriment caused, harm to vulnerable people, previous history and more."

Peter Doxey, Rotherham Trading Standards, adds: "Any person requiring any equipment to be passed as fit for use for trade, shall submit the equipment to the inspector, who shall:

- a) Test the equipment by means of such local or working standards and testing equipment as he considers appropriate or, subject to any conditions which may be prescribed, by means of other equipment which has already been tested and which the inspector considers suitable for the purpose.
- b) If the equipment submitted falls within the prescribed limits of error and by virtue of subsection 10, it is not required to be stamped, as mentioned on paragraph (c), give to the person submitting it a statement in writing to the effect that it is passed as fit for use for trade, and
- c) Except as otherwise expressly provided or under this Act, cause it to be stamped with the prescribed stamp.

"In essence, non approved equipment will not have been passed by a Weights and Measures Inspector, and any 'use for trade' of such equipment is an offence and the equipment is an offence and liable to forfeiture."

Link: Business Companion: <https://www.businesscompanion.info/en/quick-guides/weights-and-measures/weighing-equipment-for-legal-use>



## Conclusion

In the UK, the use of Trade Approved scales is essential to not only avoid costly penalties but also to help protect the seller and the buyer.

Trade Approved scales ensure resulting prices are correct – so the buyer is getting what they are paying for, and the seller isn't giving away too much!

We recommend that you assess the role of each scale in your business and ensure that where the weight affects an item's price, a Trade Approved scale is being used. If you're unsure, use the guidance in this document to determine if the scale is approved. You can also speak to Marsden on 01709 364296.

Marsden Trade Approved scales can be found at [www.marsden-weighing.co.uk](http://www.marsden-weighing.co.uk).



## Recommended Trade Approved Scales

Marsden DS-502 Bench Scale



Capacity: 6kg - 30kg  
Accuracy: 1g - 2g

Marsden DS-781SS Price Computing Scale



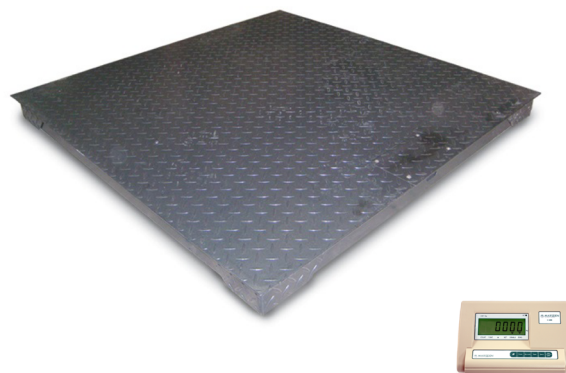
Capacity: 15kg  
Accuracy: 2g/5g

Marsden MSS-I-100APP Bench Scale



Capacity: 3kg - 150kg  
Accuracy: 1g - 50g  
Various dimensions available

Marsden P-I-100-APP Platform Scale



Capacity: 600kg - 3000kg  
Accuracy: 0.2kg - 1kg  
Various dimensions available



Accuracy Assured


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